

HENINGER GARRISON DAVIS, LLC
5 Penn Plaza, 23rd Floor
New York, New York 10001
Telephone: (212) 896-3876
Facsimile: (646) 378-2001

LAW OFFICES OF GEORGE N. PROIOS PLLC
65 West 36th Street, 7th Floor
New York, NY 10018
Phone: (212) 279-8880
Attorneys for Plaintiff
Joao Control & Monitoring Systems, LLC

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOAO CONTROL & MONITORING
SYSTEMS, LLC,

Plaintiff,

v.

DIGITAL PLAYGROUND, INC., *et al.*,

Defendants.

Civil Action No. 12-cv-06781 (RJS)

JOAO CONTROL & MONITORING
SYSTEMS, LLC,

Plaintiff,

v.

CITY OF YONKERS, *et al.*,

Defendants.

Civil Action No. 12-cv-07734 (RJS)

PLAINTIFF JOAO CONTROL & MONITORING SYSTEMS, LLC'S
NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiff Joao Control & Monitoring Systems, LLC (“Plaintiff” or “JCMS”), by and through its undersigned counsel, provides the attached opinion as Supplemental Authority for consideration by the Court with respect to Defendants’ Motion for Judgment on the Pleadings Pursuant to Fed. R. Civ. P. Rule 12(c) as to challenged validity of the patents-in-suit under 35 U.S.C. §101 and related briefing. (Dkt. Nos. 124, 125, 128 and 130 in case no. 12-cv-6781; Dkt. Nos. 196, 199, and 200 in case no. 12-cv-7734). The recent opinion from the Court of Appeals for the Federal Circuit, *Bascom Global Internet Services, Inc. v. AT&T Mobility LLC, et al.*, 2016 WL 3514158 (2016), addresses the legal issues surrounding defendant’s motion to dismiss the complaint on the grounds of invalidity under 35 U.S.C. § 101.

The relevant language is highlighted in the Opinion attached hereto as Exhibit A.

Date: July 1, 2016

Respectfully submitted,

/s/ Maureen V. Abbey

Maureen V. Abbey
HENINGER GARRISON DAVIS, LLC
5 Penn Plaza, 23rd Floor
New York, NY 10001
Tel: (212) 896-3876
Fax: (646) 378-2001
maureen@hgdllawfirm.com

Steven W. Ritcheson, *pro hac vice*
INSIGHT, P.C.
9800 D. Topanga Canyon Blvd., #347
Chatsworth, CA 91311

George N. Proios
LAW OFFICES OF GEORGE N. PROIOS, PLLC
65 West 36th Street, 7th Floor
New York, NY 10018

Attorneys for Plaintiff

Joao Control & Monitoring Systems, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing has been filed using the Court's CM/ECF system which will send an electronic notice with hyperlink to the foregoing documents to all counsel of record who have appeared in this case and consented to receipt electronic notices via the CM/ECF system.

Date: July 1, 2016

/s/ Maureen V. Abbey